

OPINION
56-73

September 17, 1956 (OPINION)

COUNTY MEMORIALS

RE: Authority of County to Equip

This is in reply to your letter requesting an opinion of this office in regard to the county's furnishing a piano for use in the Veterans Memorial Room in the Williams County Memorial Court House.

You inform us that the general purpose of the Veterans' Memorial Room is to furnish facilities for community gatherings, annual meetings of assessors, township officers, and veterans' organizations, etc. Your specific question is whether the Board of County Commissioners would be authorized under the existing statutes to purchase a piano for use in this room.

It is the opinion of this office that the authority granted by the Legislative Assembly to the board of county commissioners in the enactment of, and amendments to the County Memorial Law, chapter 11-32 of the 1953 Supplement to the N.D.R.C. of 1943, to erect and maintain memorials, confers upon such board of county commissioners by necessary implication the power to so equip such buildings as to enable them to be properly used as such memorials. The board of county commissioners has apparently determined that the Veterans' Memorial Room is an essential part of the memorial they have determined to erect. In view of the provisions of section 11-1150 of the N.D.R.C. of 1943, this would appear to be entirely within the legislatively contemplated scope of their discretion. It is therefore our conclusion that in view of the type of memorial erected and in view of the contemplated uses to which the Veterans' Memorial Room is to be put, it is entirely within the Board of County Commissioner's discretion to determine to furnish such room with a piano.

LESLIE R. BURGUM

Attorney General